

ENTERED

September 18, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAG. JUDGE NO. 2:18-MJ-3730
	§	
ELIAS SUSTAITA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

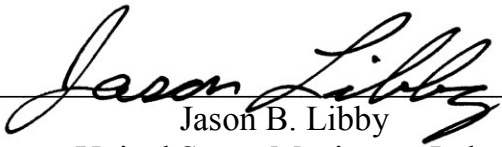
A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). Detention of the defendant pending trial in this case is necessary because there is a serious risk that the defendant will not appear.

The evidence against the defendant meets the probable cause standard. The defendant is currently on probation for a state misdemeanor conviction. The state probation department is pursuing a violator's warrant. The most basic condition of any probation is not to commit new law violations. The defendant has shown the inability or unwillingness to comply with court ordered supervision. The defendant is ordered detained pending trial. However, the defendant may move to reopen the detention hearing if the warrant is removed or otherwise resolved. The findings and conclusions contained in the Pretrial Services Report are adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation

with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 18th day of September, 2018.



Jason B. Libby
United States Magistrate Judge